

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRUCE JOHN DENNY,

Defendant.

CR-13-115-GF-BMM-JTJ

ORDER

United States Magistrate Judge John Johnston conducted a revocation hearing in this matter on January 29, 2019. (Doc. 107.) The United States alleged that Bruce John Denny violated his conditions of supervised release by (1) failing to complete his sex offender treatment program; (2) failing to report for substance abuse treatment; (3) failing to report for substance abuse testing, and (4) using a controlled substance. (Doc. 100.)

Judge Johnston entered Findings and Recommendations in this matter on January 30, 2019. (Doc. 107.) Neither party objected to Judge Johnston's Findings and Recommendations. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

The admitted violations prove serious and warrant revocation of Denny's supervised release. Judge Johnston has recommended that the Court revoke Denny's supervised release and commit Denny to the custody of the Bureau of Prisons for a term of 3 months, with 45 months of supervised release to follow. (Doc. 107 at 3.)

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Denny's violation of his conditions represents a serious breach of the Court's trust. A sentence of 3 months custody, followed by 45 months of supervised release represents a sufficient, but not greater than necessary sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 107) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Bruce John Denny be sentenced to 3 months custody with 45 months of supervised release to follow.

DATED this 19th day of February, 2019.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a large initial "B" and a long horizontal stroke at the end.

Brian Morris
United States District Court Judge